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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,113	01/17/2002	Steven Victor Kauffman	SVL920010095US1	1808

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EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 07/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/053,113

Applicant(s)

KAUFFMAN ET AL.

Examiner

Susan Y Chen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-34 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-34 are presented for examination.

Specification

The disclosure is objected to because of the following informalities:

The information of "Related Applications" has not be updated.

Appropriate correction is required.

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicants' cooperation is requested in correcting any errors of which applicants may become aware in the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-6, 16-18 and 27-28, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 4 (lines 5-6), 16 (lines 1-2) and 27 (lines 5-6), it is not understood what does it meant by "determine from the object type for the attributes associated with

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the attribute operator one application program capable of accessing the attribute object type" [i.e., which function does this determining step try to perform? How the application program capable to access the attribute object type, what is the links among the claimed object type, attribute operator, and attribute object type?]

As to claims 5-6, 17-18 and 28, these claims have the same defects as their base claims, hence are rejected for the same reason.

Because the ambiguous nature of the invention, the following art rejection is base on the best as the examiner is able to ascertain, and claims 4-6, 16-18 and 27-28 will have no art rejection at this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7-15, 19-26 and 30-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Dorsett, Jr. (U.S. Patent No. 6,658,429).

As to claims 1, 12 and 24, Dorsett Jr. (hereinafter referred as Dorsett) discloses a system with means/method/computer readable program product for querying data [e.g. col. 2, lines 39-54, Fig. 1, Fig. 7], comprising:

a) a digital library including asset classes [e.g., the unit 100, Fig. 1; col. 4, line 66 – col. 5, line 38, col. 6, lines 46-59, col. 7, lines 11-17, col. 8, lines 53-63];

b) a computer readable medium [e.g., col. 5, lines 16-30] including:

1) a definition of at least one asset class having at least one attribute, wherein each attribute is defined to have an attributes object type [e.g., the XYDataSet object; col. 13, lines -59];

2) asset object instances for the attributes in the asset classes [e, g. 300, Fig. 3, col. 9, lines 3-17; lines 26-47].

3) a query indicating an asset name [e.g., the unit 825, Fig. 8A], search predicate [e.g., the unit 800, Fig. 8A], at least one attributes operator [e.g., the units 815, 825, Fig. 8A], and attributes value[e.g., the unit 820, Fig. A], wherein, the attribute operator is associated with at least one attribute included in the indicated asset name [e.g., Fig(s). 7, 8A – 8B and associated texts]; and

c) means for processing the query by accessing asset object instances of the assert name to determine assert object instances whose attribute object for the attribute associated with the attribute operator matches the attribute value and satisfies the search predicate [e.g., the units 160, 130, Fig. 1, col. 19, lines 12 – 37].

As to claim 13, except the features recited in claim 12, Dorsett further discloses that the system comprises a plurality of computer readable devices [e.g., the unit 130, 140, Fig. 1], wherein the computer readable devices comprises at least one of storage devices, memory devices, and transmission media [e.g., Fig. 1, col. 4, line 67 – col. 5, line 38].

As to claims 2, 14 and 25, except features recited in claims 1, 12 and 24, Dorsett further discloses that the query comprises attribute operators [e.g., the unit 825, Fig. 8A], attribute values [e.g., the unit 820, Fig. A] to query asset object instances [e.g. the unit 805, Fig. 8A] whose attribute objects matches the attributes values and search predicate for each attribute operator [e.g., Fig. 8 and associated texts].

As to claims 3, 15 and 26, except features recited in claims 1, 12 and 24, Dorsett further discloses that each asset object instance includes information on a file location of attribute objects providing the attributes for the assert object instance [e.g., the position field, of the unit 340, Fig. 3, col. 14, lines 46-60], and wherein the means for processing the query to search the attributes object further accesses the attribute object at the file location indicated in the asset object instance having the attribute object [e.g., e.g., col. 14, lines 46-60, col. 15, lines 1-30].

As to claims 7, 19 and 30, except features recited in claims 1, 12 and 24, Dorsett further discloses that the system having means [e.g., the server130, Fig. 1] for

processing the query to search the attribute object for each asset object instance of the first asset type performs:

a) accessing the relationship attribute object [e.g., the database 180, Fig. 1] to determine all asset object instances of the second asset type [e.g. the relational tables, col. 7, line 7] associated with the asset object instance [e.g., col. 7, lines 11-7; lines 34-42];

b) for each determined asset object instance, processing the query by determining the asset object instances of the second type whose attribute object for the attribute of the second asset type associated with the attribute operator matches the attribute value and satisfies the search predicate [e.g. col. 7, lines 56-23].

As to claims 8, 20 and 31, except features recited in claims 1, 12 and 24, Dorsett further discloses that the relationship attribute object comprises a database table, wherein a first column in the database table is for unique identifiers of instances of the first assert type [e.g., the ID column of the EXPERIMENT table, col. 11, lines 5-9]; and a second column in the database table is for unique identifiers of instances of the second assert type, wherein a row in the database table identifies one instance of the first assert type identified by the unique identifier in the first column of the row that is associated with one instance of the second assert type identified by the unique identifier in the second column of the row [e.g., the experiment ID column of the KEYWORD table, col. 11, lines 10-15].

As to claims 9, 21 and 32, except features recited in claims 1, 12 and 24, Dorsett further discloses that the definition of each attribute of an asset class is implemented in an extensible Markup Language (SML) document [e.g., col. 10, lines 23 – 64]. Wherein each defined attribute of an asset class comprises a tagged element in the XML document and the information for each attribute is embedded in at least one tagged attributes of the tagged element for the attribute [e.g., col. 10, lines 30 – 47]

As to claims 10-11, 22-23, 33-34, except features recited in claims 1, 12 and 24, Dorsett further discloses that the system having:

a) means for generating a graphical user interface accessible to a user with fields for receiving user input indicating an asset name, search predicate, at least one attributes operator and attribute value, wherein the query is provided through data entered by the user into the fields [e.g., the units:160, Fig. 1; Fig(s). 8A-9E and associated texts];

b) means for determining attribute operator associated with the attributes of the asset name in responses to receiving a user entered asset name for the query [e.g., the server process 140, Fig. 1];

c) means for generating a display of a list of the determined attribute operator [e.g., the unit 815, 830, Fig. 8A];

d) means for receiving user selection of one of the determined attribute operators from the displayed list, wherein the user selected attribute operator is used in the query [e.g., the I/O device 190, Fig. 1].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dorsett, Jr. (U.S. Patent No. 6,658,429) in view of Boucher et al. (U.S. Patent No. 6,745,368).

As to claim 29, Dorsett discloses all limitations as recited in claim 24, except he did not specifically teach that the system having one attribute being defined for an attribute object that comprises at least one multimedia file.

However, Boucher et al (hereinafter referred as Boucher) discloses a system having one attribute being defined for an attribute object that comprises at least one multimedia file [e.g., 140B, Fig. 2; col. 6, lines 1-18].

Therefore, with the teachings of Dorsett and Boucher in front of him/her, an ordinary skilled artisan at the time the invention was made would be motivated to modify Dorsett's system with one attribute being defined for an attribute object that comprises at least one multimedia file as taught by Boucher, because by doing so, the media being

processed will be further upgraded to include the multi-media features to provide an end user with multi-media contents for navigation.

Conclusion

To expedite the process of re-examination, the examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should provide and link to the most specific page and line numbers of the disclosure where best support is found (see 35 U.S.C. 132).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Chang et al. (U.S. Patent No. 6,233,586) which disclosed a federated searching of heterogeneous data-stores using a federated query object.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is (703) 308-1155. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (703) 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2171

June 23, 2004



UYEN LE
PRIMARY EXAMINER